IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4002 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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BAVDA VIRENDRA HIMMATLAL

Versus

REGIONAL PASSPORT OFFICER

Appearance:

1. Special Civil Application No. 4002 of 2002

MR RAJESH K DESAI for Petitioner No. 1

MR DN PATEL for Respondent No. 1

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 12/04/2002

ORAL JUDGEMENT

#. Rule. Mr.Patel waives service of rule for the respondents. With the consent of the parties, the matter is taken up for final hearing today.

#. The grievance of the petitioner is that, in spite of the fact that, he has already made the representation on 18.2.2002 to the authority for the purpose of correcting his birth date in his passport, no decision is yet taken by the passport authority. The case of the petitioner is that, he has been issued the passport on 25.11.1988 in which his birth date is shown as 19.2.1962 which was recorded as per the school leaving certificate. Subsequently, the petitioner got birth certificate from Limbdi Nagarpalika wherein his birth date is shown as 20.9.1962. He, therefore, gave an application to the passport authority for correcting the same.

#. In the facts and circumstances of the case, the passport authority is directed to decide the representation of the petitioner dated 18.2.2002 as expeditiously as possible and appropriate order may be passed in accordance with law after considering the evidence on record. If the authority is satisfied that the birth date is required to be corrected, it is for the authority to take appropriate decision in this behalf. It is clarified that, this Court has not expressed any opinion on merits one way or the other. Since the petitioner has not taken care earlier by producing cogent material, the petitioner is directed to pay costs of Rs.2000/- (Rupees two thousand only). The said amount of costs is to be deposited with the passport authority on or before 26.4.2002.

#. In view of what is stated above, this petition is allowed. Rule is made absolute to the aforesaid extent with costs as quantified above. D.S.Permitted.

(P.B.Majmudar,J)
(pathan)